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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO SEAL
DOCUMENTS PURSUANT TO DKT. 358**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make
4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I
5 could and would testify competently thereto.

6 2. I am making this declaration pursuant to Civil Local Rule 79-5(e)-(f) as an attorney
7 for Google as the Designating Party, pursuant to Civil Local Rule 79-5(f)(3) in response to Dkt.
8 360.

9 3. On December 20, 2021, Plaintiffs filed an administrative motion to file under seal
10 the documents pursuant to Dkt. 358 (Dkt. 360). On December 26, 2021, I received an unredacted
11 service copy of these documents. On December 27, 2021, the parties stipulated to extend the
12 deadline for Google to file its supporting declaration to January 3, 2022, which the Court granted
13 (Dkt. 367).

14 4. I have reviewed the documents that Plaintiffs seek to file under seal pursuant to Civil
15 Local Rule 79-5, unredacted versions of which have been filed at Docket Entry 360. Based on my
16 review, there is good cause to seal the following information:

Document	Basis for Sealing
17 GOOG-BRWN-00409986 (Dkt. 18 360-1) 19 Pages 1-2 20 21 22 23 24 25 26 27 28	The information requested to be sealed contains Google’s highly confidential and proprietary information regarding highly sensitive features of Google’s internal systems and operations, including details related to internal project, links, and goals, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential and proprietary information reveals Google’s internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google’s competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google’s internal projects, documents, and practices relating to competing products.

<p>1 GOOG-BRWN-00226088 (Dkt. 2 360-2) 3 Page 3 4 5 6 7 8 9</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding encryption of Google's produced document, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information may place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal documents subject to the Protective Order in this case.</p>
<p>10 GOOG-BRWN-00225677 (Dkt. 11 360-4) 12 Page 4 13 14 15 16 17</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding encryption of Google's produced document, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information may place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal documents subject to the Protective Order in this case.</p>
<p>18 GOOG-BRWN-00477510 (Dkt. 19 360-5) 20 Redacted in its entirety 21 22 23 24 25 26 27 28</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to internal research and methodology, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to</p>

1		compromise Google's internal projects and practices relating to competing products.
2	GOOG-CABR-03750737 (Dkt. 360-9)	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to proprietary and potential features of its product, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's features and practices relating to competing products.
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4	Pages 8-10, 16, 17, 21	
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13	GOOG-BRWN-00140297 (Dkt. 360-14)	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to proprietary and potential features of its product, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's features and practices relating to competing products.
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15	Pages 15, 17, 20-23, 27, 29, 31-33	
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24	GOOG-CABR-04991831 (Dkt. 360-15)	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to internal projects and proprietary and potential features of its product, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information
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	reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features, and practices relating to competing products.
<p>GOOG-CABR-05269357 (Dkt. 360-16)</p> <p>Redacted in its entirety</p>	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to internal projects and products and their proprietary features, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features and practices relating to competing products.
<p>GOOG-BRWN-00457784 (Dkt. 360-17)</p> <p>Page 1</p>	The information requested to be sealed contains Google's highly confidential and proprietary information regarding Google's internal systems and operations, including details related to internal projects and discussions, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features, and practices relating to competing products.

<p>1 GOOG-BRWN-00048967.C (Dkt. 360-18)</p> <p>2</p> <p>3 Page 33</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding encryption of Google's produced document, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information may place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal documents subject to the Protective Order in this case.</p>
<p>10 GOOG-BRWN-00388293 (Dkt. 360-19)</p> <p>11 Pages 1, 3</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding Google's internal systems and operations, including details related to internal projects and discussions, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features, and practices relating to competing products.</p>
<p>20 GOOG-CABR-00501220 (Dkt. 360-20)</p> <p>21 Pages 2-3, 5-6</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to internal projects and proprietary and potential features of its product, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to</p>

	competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features, and practices relating to competing products.
<p>GOOG-CABR-05269678 (Dkt. 360-21)</p> <p>Pages 3, 9-13, 15, 18-20, 22-25, 27, 30-32</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to internal projects and proprietary and potential features of its product, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects, features, and practices relating to competing products.</p>
<p>Mardini Transcript (Excerpt) (Dkt. 360-24)</p> <p>306:10</p>	<p>The information requested to be sealed contains Google's highly confidential and proprietary information regarding Google's internal systems and operations, including details related to internal projects, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cyber security threats, as third parties may seek to use the information to compromise Google's internal projects and practices relating to competing products.</p>

5. Google's request is narrowly tailored in order to protect its confidential information. These redactions are limited in scope and volume. Because the proposed redactions are narrowly tailored and limited to portions containing Google's highly-confidential or confidential information,

1 Google requests that the portions of the aforementioned documents be redacted from any public
2 version of those documents.

3 6. Google has pared back Plaintiffs' proposed redactions and does not seek to redact or
4 file under seal any of the remaining portions of Plaintiffs' Motion and Proposed Order not indicated
5 in the table above.

6 I declare under penalty of perjury of the laws of the United States that the foregoing is true
7 and correct. Executed in San Francisco, California on January 3, 2022.

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9 DATED: January 3, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11
12 By /s/ Jonathan Tse
Jonathan Tse

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14 *Attorney for Defendant*
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